

**MINUTES  
COMMITTEE OF HEARING AID DEALER EXAMINERS  
JULY 9, 2008**

**I. CALL TO ORDER**

Mr. Payne called the meeting to order at 1:02 p.m. in Conference Center Room 9 located in the Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana, and established a quorum in accordance with IC § 25-29-2-5.

**Members Present:**

Robert H. Payne, H.A.D, Chairman  
Allen Reese, H.A.D.  
Martha A. Schmidt, H.A.D, Vice-Chair  
Anthony Gigli, Consumer Member

**Members Absent:**

Richard Miyamoto, M.D.

**Staff Present:**

Valerie L. Jones, Board Director  
Nancy Harvey, Assistant Board Director  
Donna Sembroski, Deputy Attorney General

**II. ADOPTION OF AGENDA**

A motion was made and seconded to adopt the agenda.

SCHMIDT/GIGLI  
Motion carried 4-0-0

**III. APPROVAL OF MINUTES FROM APRIL 9, 2008**

A motion was made and seconded to approve the minutes, of the April 9, 2008 meeting of the Committee.

REESE/SCHMIDT  
Motion carried 4-0-0

**IV. PERSONAL APPERANCES**

**A. Timothy W. Kruse, SHAD Renewal**

Mr. Kruse failed to appear before the Committee to request the renewal of his SHAD.

No action was taken on Mr. Kruse's behalf.

**B. Paul J. Lehmann, License #17001011A**

Mr. Lehmann appeared before the Committee to discuss the positive response on his renewal application. Mr. Lehmann answered "yes" to the following question:

*"Since you last renewed, have you been convicted of or pled guilty to a violation of a federal or state law or are criminal charges pending?"*

Mr. Lehmann appeared before the Committee to discuss his positive response. Mr. Lehmann stated that he was convicted of cocaine possession. Mr. Lehmann told the Committee that he did not know about the cocaine however he believed that he had a drinking problem.

Mr. Lehmann presented the court documentation to the Committee for review.

The Committee questioned Mr. Lehmann about the terms of his probation. Mr. Lehmann currently has 1 year left on his court ordered probation.

Mr. Lehmann stated that he has been licensed in the State of Indiana for at least 11 years and is currently self-employed.

The Committee discussed Mr. Lehmann's positive response to determine whether he was fit to continue to practice.

After discussion, a motion was made and seconded to renew Mr. Lehmann's on probation with the following terms and conditions:

1. Indefinite probation with and opportunity to withdrawal at the conclusion of his criminal probation.
2. Personal appearance at the October Committee meeting with a letter from his probation officer updating his status.
3. Notify the Board of any additional arrests

REESE/SCHMIDT  
Motion carried 4-0-0

**V. OLD/NEW BUSINESS**

**A. Student Hearing Aid Dealer Discussion**

The Committee discussed the need to re-take the written exam if the practical portion of the exam is not passed within a year. The Board re-affirmed the process of requiring applicants to re-take the written exam.

A motion was made and seconded to table the discussion.

SCHMIDT/REESE  
Motion carried 4-0-0

**B. Rule Readoption**

The Committee reviewed the following rules for Readoption:

844 IAC 9-1-1	Fees
844 IAC 9-5-1	Examination

After review, a motion was made and seconded to recommend the readoption of 844 IAC 9-1-1 and 844 IAC 9-5-1 to the Medical Licensing Board of Indiana.

REESE/SCHMIDT  
Motion carried 0-0-0

**VI. ADJOURNMENT**

There being no further business and having completed its duties, the meeting of the Committee of Hearing Aid Dealer Examiners adjourned at 2:01 p.m.

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**Robert H. Payne, H.A.D.**  
**Chairman, Committee of Hearing Aid Dealer Examiners**

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**Date**